

## O F F I C I A L U S E O N L Y

DEPARTMENT OF HOMELAND SECURITY ICE		TECS ACCESS CODE 3	
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		CASE NUMBER AU17BR08AU0001	
TITLE: TEXAS STAFFING RESOURCES, ET AL			
CASE STATUS: INTERIM RPT			
REPORT DATE 051311	DATE ASSIGNED 050708	PROGRAM CODE YPO	REPORT NO. 040
RELATED CASE NUMBERS:			
COLLATERAL REQ:			
TYPE OF REPORT: MEMO OF INTERVIEW			
TOPIC: INTERVIEW OF IRMA VICHARELLY CONDUCTED ON MAY 10, 2011			

## SYNOPSIS:

The Department of Homeland Security (DHS), Homeland Security Investigations (HSI), Resident Agent in Charge (RAC)/ Austin, TX (AU) is conducting an investigation regarding Texas Staffing Resources (TSR) for fraudulently obtaining H2B non-immigrant visas under the pretext of representing various U.S. based companies. Subsequently, the fraudulently obtained visas were sold to Mexican nationals seeking entry into the U.S. On May 5, 2011, a Federal Grand Jury returned a five-count indictment on Jose VICHARELLY, Irma VICHARELLY, Angela FAULK, Servando GONZALEZ, Jr. and Pedro Saul OCAMPO for the violation of 18 USC 371 (Conspiracy), 18 USC 1546 (a) (visa fraud) and 8 USC 1324 (alien smuggling).

On May 10, 2011, the arrest warrants for all five defendants were executed. Irma VICHARELLY was interviewed regarding her role in the conspiracy. This report documents the statements Irma VICHARELLY provided during the interview.

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C O N T I N U A T I O N

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## CASE PROGRAM CODES:

YP0 BENEFIT FRAUD  
3H4 BENEFIT FRAUD6C6 H AND L VISA FRAUD  
E7M FIG San Antonio

6C1 EMPLOYERS OF UNAUTHO

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## DETAILS OF INVESTIGATION:

The Department of Homeland Security (DHS), Homeland Security Investigations (HSI), Resident Agent in Charge (RAC)/ Austin, TX (AU) is conducting an investigation regarding Texas Staffing Resources (TSR) for fraudulently obtaining H2B non-immigrant visas under the pretext of representing various U.S. based companies. Subsequently, the fraudulently obtained visas were sold to Mexican nationals seeking entry into the U.S.

On May 5, 2011, a Federal Grand Jury returned a five-count indictment on Jose VICHARELLY, Irma VICHARELLY, Angela FAULK, Servando GONZALEZ, Jr. and Pedro Saul OCAMPO for the violation of Conspiracy to Commit Visa fraud (18 USC 371; 18 USC 1546 (a)), Conspiracy to Encourage Aliens to Enter and Reside in the United States (8 USC 1324 (a)(1)(A)(v)(I); 8 USC 1324 (a)(1)(A)(iv)) and Encouraging and Inducing an Alien to Illegally Enter and Reside in the United States for the Purposes of Financial Gain (8 USC 1324(a)(1)(A)(iv) and 8 USC 1324 (a)(1)(B)(i)).

On May 10, 2011, at approximately 0600 hours, the arrest warrants for all five defendants were executed. Irma VICHARELLY was located and arrested at 2101 Van Horn Cove, Cedar Park, TX 78613. Irma VICHARELLY was transported to the HSI RAC/AU office for processing. At approximately 0800, HSI Special Agent (S/A) Ron Estrabo and HSI S/A Omar Pedraza conducted an interview with Irma VICHARELLY regarding her role in the conspiracy. S/A Pedraza assisted with the Spanish translation during the interview. S/A Pedraza also advised Irma VICHARELLY of her Miranda Rights in the Spanish language. Irma VICHARELLY waived her rights and provided the following statements during the interview.

Jose VICHARELLY told her what she was supposed to do. She admitted that she went to businesses with VICHARELLY to talk to the owners and that VICHARELLY explained to the business owners how the visa process works and how the payments are made. VICHARELLY told them to pay a certain amount for each person that the businesses wanted to bring in. VICHARELLY gave the business owners the paperwork for the process.

She explained that they had someone in Mexico who recruited the people for the visas. She also claims that the recruiter was a female and is from Monterrey, Mexico.

Irma VICHARELLY claims that sometimes, the employees would ask them how the visa process works and whether their employers could petition for them to get a visa. TSR would then go to the businesses to talk to the owners. When asked if the employees that approached them were illegal aliens, Irma VICHARELLY claims that a lot of them had expired visas. Irma VICHARELLY told the aliens that they cannot get a visa because they are in the U.S. Irma VICHARELLY

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admitted that they instructed them to return to Mexico so that they can apply for the work visa.

When asked what would happen if the applicants admitted to the Consular Officer that they were in the U.S. illegally prior to applying for the visa, Irma VICHARELLY stated that it all depends on the Consular Officer.

Irma VICHARELLY admitted that she collected money for the visas and that the aliens only paid \$500.00. Irma VICHARELLY also claims that most of the visa payments came from the employers.

When asked if she knew who the visa beneficiaries were supposed to work for once they were admitted into the U.S., Irma VICHARELLY claims that she knew they were supposed to work for the company that petitioned for their visas.

When asked if she and TSR made sure that the workers complied with the terms of their admission into the U.S., Irma VICHARELLY admitted that she did not. Irma VICHARELLY also admitted that a lot of the beneficiaries did not go where they were supposed to go.

Irma VICHARELLY stated that there were a few times the owners of the companies called and reported that the workers left sometime after getting their visas. Irma VICHARELLY claims that Jose VICHARELLY took down the names and that Jose called them in to the proper authorities. When asked if she actually saw VICHARELLY make the phone calls, Irma VICHARELLY admitted she did not.

When asked who made the large cash deposits into her JP Morgan Chase accounts, Irma VICHARELLY claims that Angela FAULK made the deposits. Irma VICHARELLY adamantly denied making any deposits into her JP Morgan Chase bank account.

When asked if she recalls going to Taylor Bedding Company (TBC) in Taylor, TX, Irma VICHARELLY admitted that she remembers going to TBC with VICHARELLY. Irma VICHARELLY also admitted that they spoke to the owner, supervisor and employees at the business. Irma VICHARELLY stated that TBC wanted the workers to be "legal." When asked if the workers at TBC were illegal, Irma VICHARELLY claims she does not remember.

Irma VICHARELLY claims that they did not get any visas for the undocumented workers at TBC because they did not qualify for a visa. Irma VICHARELLY was presented with a DS-156 non-immigrant visa application form for Ricardo NAVARRO-INIGUEZ. NAVARRO-INIGUEZ was a beneficiary of a H2B visa that was petitioned for by TBC in 2007 (See Report of Investigation #13 and # 14). NAVARRO-INIGUEZ was also an illegal alien that was working at TBC prior to applying for the H2B visa through TSR. Additionally, NAVARRO-INIGUEZ identified Irma VICHARELLY as the subject who was in Mexico working with

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VICHARELLY during the visa process. When the name of the preparer, "IRMA VASQUEZ" of 5000 Pedro Cardenas H Matamoros Tamps Mexico, was shown to Irma VICHARELLY, she admitted that it was her name and that she signed the document as the preparer. When asked if she answered the questions on number 38, Irma VICHARELLY claims that she filled out the application according to what the applicant had told her. Irma VICHARELLY claims that she would not answer "no" to the questions if she knew that the aliens had been in the U.S. illegally. When asked what would happened if they answered "yes" on question 38, Irma VICHARELLY stated that the applicant might not get a visa and that it was all up to the Consulate Official.

Irma VICHARELLY was also presented with a DS-156 form that was completed for Carmen HERNANDEZ-TEPIXTLE on January 10, 2007. The form indicates that the application was prepared by "ADRIANA LOPEZ" of Ave Pedro Cardenas No 5001 H Matamoros Tamps Mexico. When asked if she was the one who prepared the form, Irma VICHARELLY admitted that she did. When asked why she had different names on both of the application forms presented to her, Irma VICHARELLY just explained that both names belonged to her.

Irma VICHARELLY explained that she could not remember everything and that she obtained visas for a lot of people. Irma VICHARELLY also stated that some of the people they got visas for were in the U.S. and that they had gone to Mexico to get the visas. Some had visas that expired and they wanted to renew their work visas. Irma VICHARELLY stated that she helped them try to get the visas.

The interview terminated at 0922 hours.

At approximately 1100 hours, Irma VICHARELLY was transported to the Federal Courthouse to present her for her initial appearance with U.S. Magistrate Judge Robert Pitman. Irma VICHARELLY was released on bond pending court proceedings.

This investigation continues.

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